IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 681 of 2005**

Between:

Nekkanti Satyanarayana, S/o N. Venkataramaiah,
R/o 363, HIG,Madhavanagar, Ramachandrapuram

Hyderabad - 502032.

**..... PETITIONER**

AND

1 The State of A.P. Rep. by The Chief Registrar (Births & Deaths),
Dept. of Medical and Health (Vital statistics) Hyderabad.
2 The Registrar, (Births and Deaths) -cum- Estate Officer,
Township Administration, BHEL,Ramachandrapuram, Hyerabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action and interpretation of the 2nd Respondent in his proceedings in Ref.HY/TA/EO/2005, dated 20-1-2005 as illegal, arbitrary and Consequently set aside the same and direct the 2nd Respondent herein to add the name of the Petitioner's Son as Shantharam herein to add the name of the Petitioner's Son as Shantharam Nekkanti in the birth Register and issue Birth Certificate in the name of Petitioner's.

**Counsel for the Petitioner: MR.G.RAMESH BABU**

**Counsel for Respondent No.1: GP FOR MEDICAL HEALTH & FAMI.WELFARE**

**Counsel for Respondent No.2: Sri P.B.Subramanyam.**

**The Court at the stage of admission made the following ORDER:**

Heard learned counsel for the petitioner, learned Government Pleader appearing for the first respondent and Sri P.B.Subramanyam, learned counsel appearing for the second respondent.

The petitioner seeks a writ of mandamus declaring the proceedings of the second respondent dated 20-01-2005, rejecting the request of the petitioner for issuance of the date of birth certificate of his child on the ground that he has not registered his son's name within 15 years from the date of his birth as arbitrary and illegal.

It is represented by the learned counsel for the petitioner that an identical question has been considered by this Court in W.P.No.26690 of 2003 and by order dated 07-01-2004 it was held that the application of the petitioner therein for entering the names of his children in the respective birth certificates shall be considered on the basis of any additional information furnished by him.

Learned counsel for the second respondent does not dispute the same. In the circumstances, I deem it appropriate to dispose of the writ petition in terms of the directions in W.P.No.26690 of 2003.

Accordingly, the impugned order is set aside and the second respondent is directed to reconsider the application of the petitioner and enter the name of his child in the birth certificate, after satisfying himself that the certificate relates to the person, whose name was sought to be entered. It is made clear that it is also open to the second respondent to receive any further or additional information in this regard. Such exercise shall be completed, within a period of four weeks from the date of receipt of this order.

The writ petition is accordingly disposed of. No order as to costs.

31-01-2005

Note: Issue C.C. by one week

(B/o)

kdl

To

1 The State of A.P. Rep. by The Chief Registrar (Births & Deaths),
Dept. of Medical and Health (Vital statistics) Hyderabad.
2 The Registrar, (Births and Deaths) -cum- Estate Officer,
Township Administration, BHEL,Ramachandrapuram, Hyerabad.

3 Two C.Cs. to the Government Pleader for Medical Health &

Fami.Welfare , High Court of A.P., Hyderabadn (OUT).

4 Two C.D. Copies.